

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-7-15

WHEREAS, CORAL REEF MONTESSORI ACADEMY CHARTER SCHOOL, INC.,
applied for the following:

- (1) MODIFICATION of Conditions #2, #5 and #6 of Resolution CZAB 15-9-02, passed and adopted by the Community Zoning Appeals Board #15, reading as follow

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Coral Reef Montessori Academy-Phase 1 Plan A-2 Temporary Trailers Site Plan" and "Phase 11 Plan A-1 Coral Reef Montessori Academy" as prepared by Escobar Design Associates. Dated 2/1/02 and consisting of 4 sheets, except as modified herein to provide the required fence around the perimeter of the recreational playground area."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed New Site Plan Layout for Coral Reef Montessori Academy" as prepared by Victor E. Dekonschin, dated stamped received 3/30/15, with sheet A1.01 last handwritten revision dated 6/17/15, consisting of 5 sheets, sheet C1.01 dated stamped received 6/15/15 and landscape plans as prepared by John C. Shields Landscape Architect, with sheet L1.02 dated stamped received 4/30/15."

FROM: "5. That the private charter school use for grades 1 through 8 be restricted to a maximum of 448 students."

TO: "5. That the charter school use grades K through 8 be restricted to a maximum of 722 students."

FROM: "6. That the pre-kindergarten and kindergarten use be limited to a maximum of 52 students."

TO: "6. That the day nursery be limited to a maximum of 150 students."

The purpose of Request #1 is to allow the applicant to submit a revised site plan showing additional classrooms, increase the student counts and show a day nursery on site for a previously approved charter school.

- (2) NON-USE VARIANCE to permit existing gazebos spaced 15' (20' required) between structures.
- (3) NON-USE VARIANCE to permit a chain link fence with a height of 6' within 10' of the edge of driveway leading to a right-of-way (2.5' maximum height permitted).

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

APPLICANT: CORAL REEF MONTESSORI ACADEMY CHARTER SCHOOL, INC

SUBJECT PROPERTY: Tract "A" of GOLKING SCHOOL, PB 159-93, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested MODIFICATION of Conditions #2, #5 and #6 of Resolution CZAB 15-9-02, passed and adopted by the Community Zoning Appeals Board #15 (Item #1), the NON-USE VARIANCE to permit existing gazebos spaced 15' between structures (Item #2), the NON-USE VARIANCE to permit a chain link fence with a height of 6' within 10' of the edge of driveway leading to a right-of-way (Item #3) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve the application (Items #1 through #3), was offered by Commissioner Dennis C. Moss, seconded by Commissioner Sally A. Heyman, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Barbara J. Jordan	aye
Esteban Bovo, Jr.	aye	Dennis C. Moss	aye
Daniella Levine Cava	aye	Rebecca Sosa	aye
Jose "Pepe" Diaz	absent	Sen. Javier D. Souto	absent
Audrey M. Edmonson	absent	Xavier L. Suarez	aye
Sally A. Heyman	aye	Juan C. Zapata	absent
Jean Monestime		absent	

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested MODIFICATION of Conditions #2, #5 and #6 of Resolution CZAB 15-9-02, passed and adopted by the Community Zoning Appeals Board #15 (Item #1), the NON-USE VARIANCE to permit existing gazebos spaced 15' between structures (Item #2), the NON-USE VARIANCE to permit a chain link fence with a height of 6' within 10' of the edge of driveway leading to a right-of-way (Item #3) be and the same are hereby approved, subject to the following conditions:

1. That all other conditions of Resolution #CZAB15-9-02 remain in full force and effect, except as herein modified.
2. That the applicant shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Public Works and Waste Management Department as may be contained in its memorandum dated June 5, 2015.
3. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resources of the Department of Regulatory and Economic Resources as contained in its memorandum dated May 19, 2015.
4. That the applicant obtain a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.

6. That at the time of Certificate of Use renewal and each subsequent renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.
7. That the day nursery use be limited to 150 students.
8. That the charter school use be limited to grades K – 8th, be limited to a maximum of 722 students.
9. That the owner shall have trained personnel on site to manage the traffic operations during the arrival and dismissal period.
10. That at the time of Certificate of Use renewal and with each subsequent renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter or approved form from the Public Works and Waste Management Department showing that the school facility is in compliance with the traffic impact study and the TOP that was submitted as part of the hearing application.
11. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
12. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
13. That night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 10:00 PM.
14. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.
15. That if the charter school fails after establishment, the owner, within thirty-six months of the charter school's closure shall:
 - a) Cause the charter school to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school.
 - b) Transfer the operation of the charter school to another charter school operator or to the Miami-Dade County School Board after securing the necessary approvals from the Miami-Dade School Board; or
 - c) Convert the charter school to a permitted use within the zoning district applicable to the property, provided said use has first been authorized through the issuance of the appropriate permits from the Department; or
 - d) Secure necessary public hearing approvals to convert the charter school to a use not otherwise permitted within the zoning district applicable to the property.

BE IT FURTHER RESOLVED that the requested MODIFICATION of Conditions #2, #5 and #6 of Resolution CZAB 15-9-02, passed and adopted by the Community Zoning Appeals Board #15, shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Proposed New Site Plan Layout for Coral Reef Montessori Academy" as prepared by Victor E. Dekonschin, dated stamped received 3/30/15, with sheet A1.01 last handwritten revision dated 6/17/15, consisting of 5 sheets, sheet C1.01 dated stamped received 6/15/15 and landscape plans as prepared by John C. Shields Landscape Architect, with sheet L1.02 dated stamped received 4/30/15."
5. That the charter school use grades K through 8 be restricted to a maximum of 722 students."
6. That the day nursery be limited to a maximum of 150 students."

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 23rd day of July, 2015, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 15-7-CC-1
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HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By CHRISTOPHER AGRIPPA
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY
COMMISSIONERS ON THE 7TH DAY OF AUGUST, 2015.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

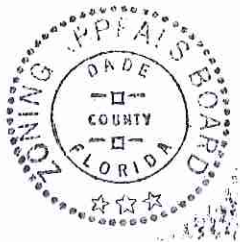
I, Rosa Davis, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-7-15 adopted by said Board of County Commissioners at its meeting held on the 23rd day of July, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 7th day of August, 2015.



Rosa Davis, Deputy Clerk (218345)
Miami-Dade County Department of Regulatory and
Economic Resources

SEAL





Department of Regulatory and Economic Resources
Development Services Division
111 NW 1st Street • Suite 1110
Miami, Florida 33128-1902
T 305-375-2640
www.miamidade.gov/economy

August 7, 2015

Coral Reef Montessori Academy Charter School, Inc.
c/o Leila Betties
800 17 St, NW Suite 1100
Washington, DC 2006

Re: Hearing No. 15-7-CC-1 (14-100)
Location: 10853 SW 216 St, Miami-Dade County, Florida.

Dear Applicant:

Enclosed herewith is Resolution No. Z-7-15, adopted by the by the Board of County Commissioners which approved your application (Items #1 through #3) on the above described property. Please note the conditions under which said approval was granted, inasmuch as strict compliance therewith will be required. Failure to comply with stipulated conditions, if any, will result in the immediate issuance of a civil violation notice for each condition violated. Each notice issued may require payment of a daily monetary fine.

If stipulated in the resolution that building permits and/or use, occupancy or completion certifies will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certifies(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates may be subject to annual renewal by this Department. Application for required permits and/of certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

If there are anticipated changes from any plan submitted for the hearing, a plot use plan is to be submitted to this Department in triplicate before any detailed plans are prepared, in as much as building permits will not be issued prior to the approval of said plan.

The Board's decision may be appealed by an aggrieved party to Circuit Court within 30 days of the date of transmittal of the resolution to the Clerk of the Count Commission. The transmittal date is **August 7, 2015**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

R.A. Cuevas, Jr.,
County Attorney
111 N.W. 1st Street, Suite 2811
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rosa Davis".

Rosa Davis,
Deputy Clerk

Enclosure



BOARD OF COUNTY COMMISSIONERS

Hearing Date: JULY 23, 2015

I The Board took the following action on the items listed below

15-7-CC-1	CORAL REEF MONTESSORI ACADEMY CHARTER SCHOOL, INC. Approved With Condition(S) Approved with conditions per staff's recommendation.	14-100 Z715	07-56-40
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